

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Calvin Travis Lassiter

Docket No. 5:16-CR-200-1FL

Petition for Action on Supervised Release

COMES NOW Lakesha H. Wright, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Calvin Travis Lassiter, who, upon an earlier plea of guilty to Possession of a Firearm and Ammunition by a Felon, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on March 9, 2017¹, to the custody of the Bureau of Prisons for a term of 42 months. It was further ordered that upon release from imprisonment, the defendant be placed on supervised release for a period of 3 years.

Calvin Travis Lassiter was released from custody on May 3, 2019, at which time the term of supervised release commenced.

On August 27, 2019, a Petition for Action was submitted to the court advising that on July 22, 2019, as ordered by the court as a condition of supervised release due to his prior state conviction of Indecent Liberties With a Child, the defendant underwent a psycho-sexual evaluation with sex offender treatment provider, Helen Varnadoe, in Roanoke Rapids, North Carolina. As a result of the evaluation, which concluded on August 18, 2019, Lassiter was recommended to participate in bi-weekly sessions of individual sex offender treatment and abide by additional sex offender-related conditions to meet his specific needs and to aid in his supervision. As such, it was recommended that the defendant's supervised release conditions be modified to include the additional sex offender-related conditions. The court concurred with the recommendation on August 27, 2019.

On October 21, 2019, a Petition for Action was submitted to the court advising that on October 8, 2019, Lassiter submitted to a polygraph examination and that prior to such an examination, he disclosed to the polygraph examiner that he received and viewed adult videos of a sexual/pornographic nature via his Facebook account. The defendant also subsequently made such admission to the undersigned probation officer. Inasmuch as Lassiter was not prohibited from possessing or viewing pornography as a condition of supervised release, it was recommended that his supervised release conditions be modified accordingly. Additionally, to ensure the defendant's compliance with such condition, it was recommended that Lassiter be ordered to submit to searches/monitoring of his computer and/or computer equipment. The court concurred with the recommendations on October 21, 2019.

On November 20, 2019, a Petition for Action was submitted to the court advising that on November 13, 2019, during an unannounced home visit, Lassiter admitted to the undersigned probation officer that since October 8, 2019, the date of his polygraph examination, he had received and viewed five adult videos of a sexual and pornographic nature via his Facebook messenger account. The undersigned probation officer subsequently observed the videos on Lassiter's cellular phone. In response to the defendant's conduct, it was recommended that Lassiter be ordered not to have any social networking accounts without the approval of the U.S. Probation Officer. The court concurred with the recommendation on November 22, 2019.

¹ The original Judgment and Commitment Order, which was also entered on March 9, 2017, was amended to reflect removal of the defendant's sex offender registration condition. It is noted that defense counsel filed an objection to the sex offender registration requirement, and at sentencing, the court heard arguments on the issue, but made no ruling. Lassiter is currently registered as a sex offender in Hertford County, North Carolina, pursuant to requirements of the North Carolina Sex Offender and Public Protection Registration Program.

On July 24, 2020, a Violation Report was submitted to the court advising that on July 21, 2020, during a home visit, Lassiter submitted to an instant urine screen which tested positive for marijuana use. The national laboratory confirmed the result on July 29, 2020. The court was also informed that the defendant admitted to consuming a lollipop laced with marijuana on July 17, 2020, and that he provided a written statement acknowledging his illegal drug use. In response to the violation, Lassiter was verbally reprimanded by the probation officer, counseled by using cognitive intervention skills, and referred to PORT Health in Ahoskie, North Carolina, for a substance abuse assessment. As such, it was recommended that the defendant be continued under supervision without modification. The court concurred with the recommendation on July 30, 2020. Note: The results of the substance abuse assessment are pending.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

As noted above, sex offender treatment provider, Helen Varnadoe, concluded a psycho-sexual evaluation with Lassiter on August 18, 2019, and recommended that he participate in bi-weekly sessions of individual sex offender treatment and abide by additional sex offender-related conditions to meet his specific needs and to aid in his supervision. Although the defendant began the recommended treatment sessions in September 2019, it is noted that his attendance has been inconsistent and that he has displayed a nonreceptive/nonresponsive demeanor towards treatment. In an effort to provide effective treatment and determine if any underlying mental health conditions are contributing to the barriers presented by Lassiter, Ms. Varnadoe is recommending that the defendant be ordered to undergo a mental health evaluation. As such, it is respectfully recommended that Lassiter's supervised release conditions be modified accordingly. Lassiter signed a Waiver of Hearing agreeing to the proposed modification.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

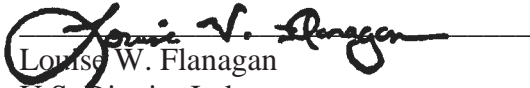
I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dewayne L. Smith
Dewayne L. Smith
Supervising U.S. Probation Officer

/s/ Lakesha H. Wright
Lakesha H. Wright
U.S. Probation Officer
306 East Main Street, Room 306
Elizabeth City, NC 27909-7909
Phone: 252-335-5508
Executed On: August 20, 2020

ORDER OF THE COURT

Considered and ordered this 20th day of August, 2020, and ordered filed and made a part of the records in the above case.


Louise W. Flanagan
U.S. District Judge